



2007 DRAFTING REQUEST

Bill

Received: 09/13/2006

Received By: gmalaise

Wanted: Soon

Identical to LRB:

For: Administration-Budget 6-2843

By/Representing: Binau

This file may be shown to any legislator: NO

Drafter: gmalaise

May Contact:

Addl. Drafters:

Subject: Higher Education - miscellaneous

Extra Copies:

Submit via email: YES

Requester's email:

Carbon copy (CC:) to:

Pre Topic:

DOA:.....Binau, BB0311 -

Topic:

Wisconsin Covenant Scholars Program

Instructions:

See Attached--create Wisconsin Covenant Scholars Grant Program.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	gmalaise 09/15/2006	jdyer 09/19/2006		_____			State
/P1			rschluet 09/19/2006	_____	lparisi 09/19/2006		State
/1	gmalaise 01/09/2007	jdyer 01/10/2007	nnatzke 01/10/2007	_____	sbasford 01/10/2007		State
/2	gmalaise	jdyer	rschluet	_____	mbarman		State

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	01/15/2007	01/16/2007	01/16/2007 _____		01/16/2007		
/3	gmalaise 01/18/2007	jdyer 01/18/2007	nmatzke 01/19/2007 _____		sbasford 01/19/2007		State
/4	gmalaise 01/23/2007	jdyer 01/24/2007	pgreensl 01/24/2007 _____		mbarman 01/24/2007		State
/5	gmalaise 02/07/2007	kfollett 02/07/2007	nmatzke 02/07/2007 _____		sbasford 02/07/2007		

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/2	gmalaise	jdyer 15/jf 2/7	rschluet nwn 2/7	_____	mbarman		State

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2 1/16 jld

[Handwritten signature]
1163

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Subject: **Higher Education - miscellaneous**

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/P1	gmalaise	1 1/9 jld	rschluet 09/19/2006	_____	lparisi 09/19/2006		State
FE Sent For:			nwn 1/10	nwn/5 1/12			

<END>

2007 DRAFTING REQUEST

Bill

Received: **09/13/2006**

Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Higher Educational Aids Board 7-2206**

By/Representing: **Connie Hutchison**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Higher Education - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **connie.hutchison@heab..state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Wisconsin affordable college education grant

Instructions:

See Attached--create Wisconsin affordable college grant program.

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
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Bill

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Received By: **gmalaise**

Wanted: **Soon**

Identical to LRB:

For: **Higher Educational Aids Board 7-2206**

By/Representing: **Connie Hutchison**

This file may be shown to any legislator: **NO**

Drafter: **gmalaise**

May Contact:

Addl. Drafters:

Subject: **Higher Education - miscellaneous**

Extra Copies:

Submit via email: **YES**

Requester's email: **connie.hutchison@heab.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Wisconsin affordable college education grant

Instructions:

See Attached--create Wisconsin affordable college grant program.

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/?

gmalaise

11/9/06 jld

9/13/06

FE Sent For:

<END>

Malaise, Gordon

From: Hutchison, Connie [connie.hutchison@heab.state.wi.us]
Sent: Wednesday, September 13, 2006 10:00 AM
To: Malaise, Gordon
Cc: 'Sharon Wilhelm'; 'Freda Harris'; 'Lynn Paulson'; 'Nelson, Sherrie A'
Subject: LRB Request ACE Grant



**State of Wisconsin
Higher Educational Aids Board**

P.O. Box 7885
Madison, WI 53707-7885

E-Mail: HEABmail@heab.state.wi.us

Telephone: (608) 567-2206

Fax: (608) 267-2808

Web Page: heab.wisconsin.gov

James E. Doyle
Governor

Connie L. Hutchison
Executive Secretary

To: Gordon Malaise, Legislative Reference Bureau
From: Connie Hutchison, Higher Educational Aids Board
RE: Draft Language for HEAB's Biennial Budget Request
Date: September 13, 2006

On behalf of the HEAB, I request draft language for the following proposed statutory changes. I am very sorry for this late submission. Thank you in advance for your assistance, and please email or call me at 264-6181 if you need further information.

Wisconsin Affordable College Education Grant

Problem: The neediest of students lack the financial resources necessary to get a post-secondary education. These students are at a disadvantage as available state and federal financial aid has not increased at a dollar-to-dollar rate equal to the rising costs of a post-secondary education.

Solution: Create a new grant for these students that would bridge the gap between federal and state grant aid and the cost of tuition and fees. The appropriation would be sum sufficient. The eligibility criteria are spelled out below.

Wisconsin Affordable College Education Grant

There is established, to be administered by the board, an Affordable College Education Grant Program for postsecondary resident students enrolled at least half-time and registered as freshmen, sophomores, juniors or seniors in public and private nonprofit accredited institutions of higher education or in tribally controlled colleges in this state.

Grants shall not be less than \$250 unless the Joint Committee on Finance approves an adjustment in the amount of the minimum grant. The board shall, by rule, establish a reporting system to periodically provide student economic data and shall promulgate other rules the board deems necessary to assure uniform administration of the program.

✓ Basis of Grants. The grant to be paid to a resident student enrolled at least half-time and registered as a freshman, sophomore, junior or senior shall be determined as follows:

✓ Eligibility (a) To be eligible for this grant, students must be eligible for the Federal Pell Grant. Additionally, a dependent student will be eligible if the parent AGI, as reported on the application, does not exceed that which is allowable to qualify for Federal Free and Reduced Priced Lunch program; and an independent student will be eligible if the student's AGI, as reported on the application, does not exceed that which is allowable to qualify for Federal Free and Reduced Priced Lunch program.

✓ Basis (b) From the average tuition and fees, subtract 1) the Wisconsin Higher Education Grant or the Wisconsin Tuition Grant; 2) all other state grants; 3) Pell grants; 4) all other federal grants.

✓ (c) For students at UW-System schools and private non-profit institutions, the board shall award grants under this section based on the average costs of the prior year's tuition and fees at UW System four year institutions. The board shall award grants to Wisconsin Technical College Students based on the WTCS average costs of the prior year's tuition and fees. The board shall award grants to Wisconsin Tribal College Students based on the Tribal Colleges average costs of the prior year's tuition and fees.

✓ (b) The total of the ACE grant and the above listed grants shall not exceed the average tuition and fees except that eligible students shall receive no less than \$250 during any one academic year.

Admin Participating institutions shall send the average costs of the current year's tuition and fees to the HEAB no later than February 1 of each year. The HEAB shall set the average costs and the AGI no later than April 1 of each year for use in determining the following academic year grants.

✓ Eligibility The board may not make a grant under this section to a person whose name appears on the statewide support lien docket under 49.854 (2) (b), unless the student provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s 49.858 (2) (a).

✓ No student shall be eligible for grants in more than the equivalent of 10 semesters of undergraduate education.

✓ A student shall be and shall remain eligible for grants provided the student meets acceptable academic standards prescribed by the student's institution.

2023 (1) GPR Affordable College Education Grants. A sum sufficient for payments to institutions of higher education under this section.



State of Wisconsin
2007 - 2008 LEGISLATURE

LRB-0201/1
GMM:..... P1
jld

Agency budget draft

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

soon

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AN ACT ...; relating to: the budget. ✓

Analysis by the Legislative Reference Bureau

EDUCATION ✓

OTHER EDUCATIONAL AND CULTURAL AGENCIES ✓

Under current law, HEAB[✓] awards various grants to resident students for higher education, including Wisconsin higher education grants to resident students enrolled at least half[✓]time and registered as freshmen, sophomores, juniors, or seniors in accredited, nonprofit public institutions of higher education, *i.e.*, in the University of Wisconsin (UW) System or the technical college system, or in tribally controlled colleges in this state, and tuition grants to resident students enrolled at least half[✓]time and registered as freshmen, sophomores, juniors, or seniors in accredited, nonprofit post-high school, educational institutions, *i.e.*, private institutions of higher education, in this state.

This bill establishes an affordable college education grant program under which HEAB is directed to award a grant to a resident student for no more than the equivalent of 10 semesters of undergraduate education and for so long as the student meets acceptable academic standards, if the resident student meets[✓] all of the following criteria:

1. The student is enrolled at least half[✓]time and registered as[✓] freshman, sophomore, junior, or senior in a public or private, nonprofit, accredited institution of higher education or in a tribally controlled college in this state.
2. The student is eligible for a Federal Pell Grant, the federal adjusted gross income of a parent of the student, as shown on the student's application for student

financial assistance, does not exceed the income guidelines prescribed for determining eligibility for reduced-price lunches under the federal National School Lunch Act (185 percent of the poverty line for a family the size of the parent's family), or, if the student is an independent student, the student's adjusted gross income does not exceed those income guidelines.

Under the bill, the amount of a grant, subject to a minimum grant amount of \$250 in any academic year, is determined as follows:

1. For a student enrolled in the UW System or in a private institution of higher education, by subtracting from the average of the resident undergraduate academic fees charged for the previous academic year among the institutions within the UW System the total amount of all other grants received by the student from the state or federal government.

2. For a student enrolled in the technical college system, by subtracting from the average of the program fees charged for the previous academic year among the technical colleges in this state the total amount of all other grants received by the student from the state or federal government.

3. For a student enrolled in a tribally controlled college, by subtracting from the average of the tuition and fees charged for the previous academic year among the tribal colleges in this state the total amount of all other grants received by the student from the state or federal government.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

SECTION 1. 20.235 (1) (fm) of the statutes is created to read:

20.235 (1) (fm) *Wisconsin affordable college education grants.* A sum sufficient for Wisconsin affordable college education grants under s. 39.437.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

SECTION 2. 39.437 of the statutes is created to read:

39.437 Wisconsin affordable college education grants. (1)

ESTABLISHMENT OF GRANT PROGRAM. There is established, to be administered by the board, an affordable college education grant program for students who meet the eligibility criteria specified in sub. (2).

(2) ELIGIBILITY. (a) Except as provided in par. (b), a student is eligible for a grant under this section if the student meets all of the following criteria:

1. The student is a resident of this state and is enrolled at least half-time and registered as a freshman, sophomore, junior, or senior in a public or private, nonprofit, accredited institution of higher education or in a tribally controlled college in this state.

2. The student is eligible for a Federal Pell Grant under 20 USC 1070a, the federal adjusted gross income of a parent of the student, as shown on the student's application for student financial assistance, does not exceed the income guidelines prescribed under 42 USC 1758 (b) for determining eligibility for reduced-price lunches under the federal National School Lunch Act, 42 USC 1751 to 1769i, or, if the student is an independent student, as defined in 20 USC 1087vv, the federal adjusted gross income of the student, as shown on the student's application for student financial assistance, does not exceed those income guidelines.

(b) 1. The board may not make a grant under this section to a person whose name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the person provides to the board a payment agreement that has been approved by the county child support agency under s. 59.53 (5) and that is consistent with rules promulgated under s. 49.858 (2) (a).

2. No student shall be eligible for a grant under this section in more than the equivalent of 10 semesters of undergraduate education.

3. No student who fails to meet acceptable academic standards prescribed by the student's institution of higher education or tribally controlled college shall be or shall remain eligible for a grant under this section.

(3) AMOUNT OF GRANT. (a) Subject to par. (d), the grant to be paid to an eligible student who is enrolled in the University of Wisconsin System or in a private, nonprofit, accredited institution of higher education shall be determined by subtracting from the average of the resident undergraduate academic fees charged for the previous academic year among the institutions within the University of Wisconsin System the total amount of all other grants received by the student from the state or federal government.

(b) Subject to par. (d), the grant to be paid to an eligible student who is enrolled in a technical college shall be determined by subtracting from the average of the fees under s. 38.24 (1m) (a) to (c) charged for the previous academic year among the technical colleges in this state the total amount of all other grants received by the student from the state or federal government.

(c) Subject to par. (d), the grant to be paid to an eligible student who is enrolled in a tribally controlled college shall be determined by subtracting from the average of the tuition and fees charged for the previous academic year among the tribally controlled colleges in this state the total amount of all other grants received by the student from the state or federal government.

(d) The grant to be paid to an eligible student shall be in the amount determined under par. (a), (b), or (c), whichever is applicable, except that a grant under this section may not be less than \$250 during any one academic year, unless the joint committee on finance approves an adjustment in the amount of the minimum grant.

(4) ADMINISTRATION OF GRANT PROGRAM. (a) By February 1 of each year, the board of regents of the University of Wisconsin System shall provide to the board information relating to the resident undergraduate academic fees charged to attend each of the institutions within that system for the current academic year, the

technical college system board shall provide to the board information relating to the fees under s. 38.24 (1m) (a) to (c) charged to attend each of the technical colleges within that system for the current academic year, and each tribally controlled college in this state shall provide to the board information relating to the tuition and fees charged to attend the tribal college for the current academic year.

(b) By April 1 of each year, the board shall determine the average of the resident undergraduate academic fees charged for the current academic year among the institutions within the University of Wisconsin System, the average of the fees under s. 38.24 (1m) (a) to (c) charged for the current academic year among the technical colleges in this state, and the average of the tuition and fees charged for the current academic year among the tribally controlled colleges in this state.

(5) **RULES.** The board shall promulgate rules to implement this section, including rules establishing a reporting system to periodically provide student economic data and any other rules the board considers necessary to assure the uniform administration of this section.

SECTION 9122. Nonstatutory provisions; Higher Educational Aids Board.

(1) **WISCONSIN AFFORDABLE COLLEGE EDUCATION GRANTS.**

(a) *Rules.* The higher educational aids board shall submit in proposed form the rules required under section 39.437 (5) of the statutes, as created by this act, to the legislative council staff under section 227.15 (1) of the statutes no later than the first day of the 5th month beginning after the effective date of this paragraph.

(b) *Emergency rules.* Using the procedure under section 227.24 of the statutes, the higher educational aids board may promulgate the rules required under section 39.437 (5) of the statutes, as created by this act, for the period before the effective date

of the permanent rules submitted under paragraph (a), but not to exceed the period authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding section 227.24 (1) (a), (2) (b), and (3) of the statutes, the higher educational aids board is not required to provide evidence that promulgating a rule under this paragraph as an emergency rule is necessary for the preservation of the public peace, health, safety, or welfare and is not required to provide a finding of emergency for a rule promulgated under this paragraph.


SECTION 9322. Initial applicability; ~~Higher Educational Aids Board.~~

(1) WISCONSIN AFFORDABLE COLLEGE EDUCATION GRANTS. The treatment of sections 20.235 (1) (fm) and 39.437 of the statutes first applies to students who enroll in a public or private, nonprofit, accredited, institution of higher education or in a tribally controlled college in this state in the 2008-09 academic year.

(END)

2007-09 Budget Bill Statutory Language Drafting Request

- Topic: Create a new program known as Affordable College Education Grants
- Tracking Code: BB0311
- SBO team: Education
- SBO analyst: Robinson J. Binau
 - Phone: 266-2843
 - Email: rj.binau@wisconsin.gov
- Agency acronym: HEAB
- Agency number: 235
- Priority (High):

Date: January 8, 2007
To: Steve Miller
From: **Robinson J. Binau** 
Subject: Statutory Language Request

TITLE

The Higher Educational Aids Board requests the establishment of a new financial aid program Affordable College Education Grants.

See HEAB's draft narrative(LRB-0201/P1), attached, for reference.

Add to this draft the creation of a new program office in the Department of Administration, call it the Office of Affordable College Education programs for now.

If you have any questions, please call me at 6-2843, or send me an email at rj.binau@wisconsin.gov

Thank you.

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

4

1 AN ACT ...; relating to: the budget.

Analysis by the Legislative Reference Bureau

EDUCATION

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, HEAB awards various grants to resident students for higher education, including Wisconsin higher education grants to resident students enrolled at least half time and registered as freshmen, sophomores, juniors, or seniors in accredited, nonprofit public institutions of higher education, *i.e.*, in the UW System or the technical college system, or in tribally controlled colleges in this state; and tuition grants to resident students enrolled at least half time and registered as freshmen, sophomores, juniors, or seniors in accredited, nonprofit post-high school, educational institutions, *i.e.*, private institutions of higher education, in this state.

This bill establishes an affordable college education grant program under which HEAB is directed to award a grant to a resident student for no more than the equivalent of ten semesters of undergraduate education and for so long as the student meets acceptable academic standards, if the resident student meets all of the following criteria:

1. The student is enrolled at least half time and registered as a freshman, sophomore, junior, or senior in a public or private, nonprofit, accredited institution of higher education or in a tribally controlled college in this state.

2. The student is eligible for a Federal Pell Grant, the federal adjusted gross income of a parent of the student, as shown on the student's application for student

financial assistance, does not exceed the income guidelines prescribed for determining eligibility for reduced-price lunches under the federal National School Lunch Act (185 percent of the poverty line for a family the size of the parent's family), or, if the student is an independent student, the student's adjusted gross income does not exceed those income guidelines.

Under the bill, the amount of a grant, subject to a minimum grant amount of \$250 in any academic year, is determined as follows:

1. For a student enrolled in the UW System or in a private institution of higher education, by subtracting from the average of the resident undergraduate academic fees charged for the previous academic year among the institutions within the UW System the total amount of all other grants received by the student from the state or federal government.

2. For a student enrolled in the technical college system, by subtracting from the average of the program fees charged for the previous academic year among the technical colleges in this state the total amount of all other grants received by the student from the state or federal government.

3. For a student enrolled in a tribally controlled college, by subtracting from the average of the tuition and fees charged for the previous academic year among the tribal colleges in this state the total amount of all other grants received by the student from the state or federal government.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 SECTION 1. 20.235 (1) (fm) of the statutes is created to read:

2 20.235 (1) (fm) *Wisconsin affordable college education grants*. A sum sufficient
3 for Wisconsin affordable college education grants under s. 39.437.

****NOTE: This SECTION involves a change in an appropriation that must be reflected in the revised schedule in s. 20.005, stats.

4 SECTION 2. 39.437 of the statutes is created to read:

5 **39.437 Wisconsin affordable college education grants. (1)**

6 ESTABLISHMENT OF GRANT PROGRAM. There is established, to be administered by the
7 board, an affordable college education grant program for students who meet the
8 eligibility criteria specified in sub. (2).

4

1 (2) ELIGIBILITY. (a) Except as provided in par. (b), a student is eligible for a grant
2 under this section if the student meets all of the following criteria:

3 1. The student is a resident of this state and is enrolled at least half time and
4 registered as a freshman, sophomore, junior, or senior in a public or private,
5 nonprofit, accredited institution of higher education or in a tribally controlled college
6 in this state.

7 2. The student is eligible for a Federal Pell Grant under 20 USC 1070a, the
8 federal adjusted gross income of a parent of the student, as shown on the student's
9 application for student financial assistance, does not exceed the income guidelines
10 prescribed under 42 USC 1758 (b) for determining eligibility for reduced-price
11 lunches under the federal National School Lunch Act, 42 USC 1751 to 1769i, or, if
12 the student is an independent student, as defined in 20 USC 1087vv, the federal
13 adjusted gross income of the student, as shown on the student's application for
14 student financial assistance, does not exceed those income guidelines.

15 (b) 1. The board may not make a grant under this section to a person whose
16 name appears on the statewide support lien docket under s. 49.854 (2) (b), unless the
17 person provides to the board a payment agreement that has been approved by the
18 county child support agency under s. 59.53 (5) and that is consistent with rules
19 promulgated under s. 49.858 (2) (a).

20 2. No student shall be eligible for a grant under this section in more than the
21 equivalent of 10 semesters of undergraduate education.

22 3. No student who fails to meet acceptable academic standards prescribed by
23 the student's institution of higher education or tribally controlled college shall be or
24 shall remain eligible for a grant under this section.

100

4

1 **(3) AMOUNT OF GRANT.** (a) Subject to par. (d), the grant to be paid to an eligible
2 student who is enrolled in the University of Wisconsin System or in a private,
3 nonprofit, accredited institution of higher education shall be determined by
4 subtracting from the average of the resident undergraduate academic fees charged
5 for the previous academic year among the institutions within the University of
6 Wisconsin System the total amount of all other grants received by the student from
7 the state or federal government.

8 (b) Subject to par. (d), the grant to be paid to an eligible student who is enrolled
9 in a technical college shall be determined by subtracting from the average of the fees
10 under s. 38.24 (1m) (a) to (c) charged for the previous academic year among the
11 technical colleges in this state the total amount of all other grants received by the
12 student from the state or federal government.

13 (c) Subject to par. (d), the grant to be paid to an eligible student who is enrolled
14 in a tribally controlled college shall be determined by subtracting from the average
15 of the tuition and fees charged for the previous academic year among the tribally
16 controlled colleges in this state the total amount of all other grants received by the
17 student from the state or federal government.

18 (d) The grant to be paid to an eligible student shall be in the amount determined
19 under par. (a), (b), or (c), whichever is applicable, except that a grant under this
20 section may not be less than \$250 during any one academic year, unless the joint
21 committee on finance approves an adjustment in the amount of the minimum grant.

22 **(4) ADMINISTRATION OF GRANT PROGRAM.** (a) By February 1 of each year, the
23 Board of Regents of the University of Wisconsin System shall provide to the board
24 information relating to the resident undergraduate academic fees charged to attend
25 each of the institutions within that system for the current academic year, the

9

1 technical college system board shall provide to the board information relating to the
2 fees under s. 38.24 (1m) (a) to (c) charged to attend each of the technical colleges
3 within that system for the current academic year, and each tribally controlled college
4 in this state shall provide to the board information relating to the tuition and fees
5 charged to attend the tribal college for the current academic year.

6 (b) By April 1 of each year, the board shall determine the average of the resident
7 undergraduate academic fees charged for the current academic year among the
8 institutions within the University of Wisconsin System, the average of the fees under
9 s. 38.24 (1m) (a) to (c) charged for the current academic year among the technical
10 colleges in this state, and the average of the tuition and fees charged for the current
11 academic year among the tribally controlled colleges in this state.

12 (5) RULES. The board shall promulgate rules to implement this section,
13 including rules establishing a reporting system to periodically provide student
14 economic data and any other rules the board considers necessary to assure the
15 uniform administration of this section.

16 **SECTION 9122. Nonstatutory provisions; higher educational aids board.**

17 (1) WISCONSIN AFFORDABLE COLLEGE EDUCATION GRANTS.

18 (a) *Rules.* The higher educational aids board shall submit in proposed form the
19 rules required under section 39.437 (5) of the statutes, as created by this act, to the
20 legislative council staff under section 227.15 (1) of the statutes no later than the first
21 day of the 5th month beginning after the effective date of this paragraph.

22 (b) *Emergency rules.* Using the procedure under section 227.24 of the statutes,
23 the higher educational aids board may promulgate the rules required under section
24 39.437 (5) of the statutes, as created by this act, for the period before the effective date
25 of the permanent rules submitted under paragraph (a), but not to exceed the period

102

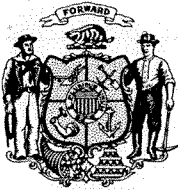
4

1 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
2 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the higher educational aids board
3 is not required to provide evidence that promulgating a rule under this paragraph
4 as an emergency rule is necessary for the preservation of the public peace, health,
5 safety, or welfare and is not required to provide a finding of emergency for a rule
6 promulgated under this paragraph.

7 **SECTION 9322. Initial applicability; higher educational aids board.**

8 (1) WISCONSIN AFFORDABLE COLLEGE EDUCATION GRANTS. The treatment of sections
9 20.235 (1) (fm) and 39.437 of the statutes first applies to students who enroll in a
10 public or private, nonprofit, accredited, institution of higher education or in a tribally
11 controlled college in this state in the 2008-09 academic year.

12 (END)



1

PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION

don't gen

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Analysis by the Legislative Reference Bureau

EDUCATION

OTHER EDUCATIONAL AND CULTURAL AGENCIES

Under current law, HEAB awards various grants to resident students for higher education, including Wisconsin higher education grants to resident students enrolled at least half time and registered as freshmen, sophomores, juniors, or seniors in accredited, nonprofit public institutions of higher education, *i.e.*, in the UW System or the technical college system, or in tribally controlled colleges in this state; and tuition grants to resident students enrolled at least half time and registered as freshmen, sophomores, juniors, or seniors in accredited, nonprofit post-high school, educational institutions, *i.e.*, private institutions of higher education, in this state.

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1. The student is enrolled at least half time and registered as a freshman, sophomore, junior, or senior in a public or private, nonprofit, accredited institution of higher education or in a tribally controlled college in this state.
2. The student is eligible for a Federal Pell Grant, the federal adjusted gross income of a parent of the student, as shown on the student's application for student

financial assistance, does not exceed the income guidelines prescribed for determining eligibility for reduced-price lunches under the federal National School Lunch Act (185 percent of the poverty line for a family the size of the parent's family), or, if the student is an independent student, the student's adjusted gross income does not exceed those income guidelines.

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2. For a student enrolled in the technical college system, by subtracting from the average of the program fees charged for the previous academic year among the technical colleges in this state the total amount of all other grants received by the student from the state or federal government.

3. For a student enrolled in a tribally controlled college, by subtracting from the average of the tuition and fees charged for the previous academic year among the tribal colleges in this state the total amount of all other grants received by the student from the state or federal government.

For further information see the *state* fiscal estimate, which will be printed as an appendix to this bill.

✓
Insert
A

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Insert
2-1

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2 student who is enrolled in the University of Wisconsin System or in a private,
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3 within that system for the current academic year, and each tribally controlled college
4 in this state shall provide to the board information relating to the tuition and fees
5 charged to attend the tribal college for the current academic year.

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8 institutions within the University of Wisconsin System, the average of the fees under
9 s. 38.24 (1m) (a) to (c) charged for the current academic year among the technical
10 colleges in this state, and the average of the tuition and fees charged for the current
11 academic year among the tribally controlled colleges in this state.

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25 of the permanent rules submitted under paragraph (a), but not to exceed the period

SECTION 9122

1 authorized under section 227.24 (1) (c) and (2) of the statutes. Notwithstanding
2 section 227.24 (1) (a), (2) (b), and (3) of the statutes, the higher educational aids board
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9 20.235 (1) (fm) and 39.437 of the statutes first applies to students who enroll in a
10 public or private, nonprofit, accredited, institution of higher education or in a tribally
11 controlled college in this state in the 2008-09 academic year.

12 (END)

**2007-2008 DRAFTING INSERT
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0201/1
GMM.....

(INSERT 2-1)

✓
SECTION 1. 15.01 (6) of the statutes is amended to read:

15.01 (6) "Division," "bureau," "section" and "unit" means the subunits of a department or an independent agency, whether specifically created by law or created by the head of the department or the independent agency for the more economic and efficient administration and operation of the programs assigned to the department or independent agency. The office of justice assistance in the department of administration and the office of credit unions in the department of financial institutions have the meaning of "division" under this subsection. The office of the long-term care ombudsman under the board on aging and long-term care, the office of affordable college education programs in the department of administration, ✓ and the office of educational accountability in the department of public instruction have the meaning of "bureau" under this subsection.

History: 1977 c. 29, 274; 1979 c. 34; 1983 a. 27, 189, 371, 410, 538; 1985 a. 29, 120, 180; 1987 s. 27, 342, 399; 1989 a. 31, 107, 202; 1991 a. 39, 269, 315; 1993 a. 16, 107, 210, 215; 1995 a. 27 ss. 74 and 9145 (1); 1995 a. 442, 462; 1997 a. 27, ✓; 2001 a. 16, 105, 109; 2005 a. 25, 421.

✓
SECTION 2. 15.02 (3) (c) 2. of the statutes is amended to read:

15.02 (3) (c) 2. The principal subunit of the division is the "bureau". Each bureau shall be headed by a "director". The office of the long-term care ombudsman under the board on aging and long-term care, the office of affordable college education programs in the department of administration, ✓ and the office of educational accountability in the department of public instruction have the meaning of "bureau" under this subdivision.

History: 1971 c. 261; 1973 c. 12; 1975 c. 39; 1977 c. 34, ✓; 1979 c. 221; 1987 a. 27, 399; 1993 a. 16, 184, 215, 491; 1995 a. 27 ss. 75, 76, 76c and 9145 (1); 1997 a. 27.

✓
SECTION 3. 15.104 of the statutes is created to read:

15.104 Same; offices. (1) ✓ OFFICE OF AFFORDABLE COLLEGE EDUCATION PROGRAMS. There is created an ✓ office of affordable college education programs in the

↓

department of administration. ✓ The director of the office shall be appointed by the
secretary of administration. ✓

(END OF INSERT)

(INSERT A)

The bill also creates an Office of Affordable College Education Programs ✓ in
DOA headed by a director appointed by the secretary of administration. ✓

(END OF INSERT)

that is

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-0201/1dn
GMM.....

R.J.:

This draft creates the Office of Affordable College Programs in DOA and gives it the status of a bureau. In the alternative, you could instead do one of the following:

1. Give the office the status of a division under s. 15.02 (3) (c) 1.
2. Attach the office to DOA for limited purposes under s. 15.03.
3. Establish the office outside the budget under the authority of s. 15.02 (4).

Do you want to specify any powers or duties for the office?

Gordon M. Malaise
Senior Legislative Attorney
Phone: (608) 266-9738
E-mail: gordon.malaise@legis.wisconsin.gov

Malaise, Gordon

From: Binau, RJ - DOA
Sent: Monday, January 15, 2007 1:41 PM
To: Malaise, Gordon
Subject: RE: LRB draft 0201/1 Wisconsin Affordable College Education Grant

Gordon, I think your alternative works, please amend the draft accordingly.

RJ

From: Malaise, Gordon [mailto:Gordon.Malaise@legis.wisconsin.gov]
Sent: Monday, January 15, 2007 1:40 PM
To: Binau, RJ - DOA
Subject: RE: LRB draft 0201/1 Wisconsin Affordable College Education Grant

RJ:

Section 39.437 (4) is contingent on sub. (3) because sub. (3) bases the amounts of the grants on the average academic fees, and sub. (4) requires the institutions to report on their academic fees and HEAB to calculate the average academic fees. So, if sub. (3) is chopped altogether, then there is no reason to keep sub. (4) either.

In the alternative, we could keep sub. (3), but simply say "The amount of a grant shall be based on financial need, as determined by the board." See e.g., ss. 39.38 (2), 39.44 (3) (a), and 39.45 (3). Then next budget, that placeholder can be replaced with a formula.

Gordon

From: Binau, RJ - DOA
Sent: Monday, January 15, 2007 1:22 PM
To: Malaise, Gordon
Subject: RE: LRB draft 0201/1 Wisconsin Affordable College Education Grant

Gordon,

I see your point, I think I can live with everything in the draft but section 5 sub (3) "amount of grant." This is a determination that has yet to be finalized and so it cannot be in the draft. Can we go with every other section in the draft save 5(3) and then change the applicability date until 2009-10 as you suggest?

RJ

From: Malaise, Gordon [mailto:Gordon.Malaise@legis.wisconsin.gov]
Sent: Monday, January 15, 2007 12:52 PM
To: Binau, RJ - DOA
Subject: RE: LRB draft 0201/1 Wisconsin Affordable College Education Grant

RJ:

I don't know. If you strip out everything in s. 39.437 except "(t)here is established, to be administered by the board, an affordable college education grant program" you are not accomplishing a whole lot. Moreover, if such a program is someday actually going to exist, you will need language sooner or later anyway setting forth eligibility criteria, a formula for determining grant amounts, and administration provisions, and HEAB will have to

01/15/2007

promulgate rules.

If you're not ready to proceed this biennium, a simple approach would be to simply set back the initial applicability date to the 2009-10 academic year. That way you could also give HEAB more time under section 9122 (1) (a) to promulgate rules.

Gordon

From: Binau, RJ - DOA
Sent: Monday, January 15, 2007 12:34 PM
To: Malaise, Gordon
Subject: LRB draft 0201/1 Wisconsin Affordable College Education Grant

Gordon,

Thanks for working on this for us. We want to simplify this draft as far as we can. Here is what I think we want to do now.

We will be working on the DOA related language in another email, so for the time being , let's leave the DOA sections as you have drafted them.

Related to the grant program, we want to establish the program as you have done in section 4 of the draft. Then, not much else, especially the language contained in Section 5 (2), (3), (4) and (5). The intent here is to set up the shell of a grant program in this biennium. We will "add the meat" to the shell in the next budget. So, given that this is simply to establish the chapter 20 appropriation, do we need section 9122 or 9322?

Let me know if I made sense here. Email or call me if you like.

RJ
608-266-2843